



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE

STATEMENT OF ESTIMATED FISCAL IMPACT

WWW.RFA.SC.GOV • (803)734-3793

This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number:	H. 3802	Amended by House Education and Public Works on April 30, 2025
Subject:	Participation in School Activities and Programs	
Requestor:	House Education and Public Works	
RFA Analyst(s):	Bryant	
Impact Date:	May 5, 2025	

Fiscal Impact Summary

This bill amends Section 59-63-100, relating to participation in interscholastic activities of public school districts by home school, charter school, and Governor's school students, to include participation in cocurricular activities, extracurricular activities, and career and technical education, and to provide equal treatment for such students and students enrolled in public schools in the districts.

The bill, as amended, also requires the S.C. Department of Education (SCDE) to develop model guidelines for home school students to participate in cocurricular activities, extracurricular activities, or career and technical education in schools within or outside of their public school attendance zone. All local school districts must have a home school student participation policy in place within one hundred twenty days of the publication of the model guidelines by the department, and any school district with an existing home school student participation policy must review and ensure compliance with the provisions of the bill within sixty days of its enactment. SCDE must review all local home school student participation policies to ensure alignment with the model guidelines. If a district fails to meet minimum standards, SCDE may withhold administrative funding until the district demonstrates full compliance.

SCDE indicates that this bill, as amended, will have no expenditure impact, as the department can manage the provisions of the bill with existing appropriations.

This bill, as amended, will have no expenditure impact on the Governor's schools. The Governor's School for Agriculture at John de la Howe, the Governor's School for the Arts and Humanities, and the Governor's School for Science and Mathematics indicate that they can manage the provisions of the bill with existing appropriations.

SCDE surveyed the seventy-two regular school districts and three charter school districts on the introduced version of the bill and received responses from nine districts. Four of the responding districts indicated that the bill would have no expenditure impact. Two districts indicated that implementing the provisions of the bill would increase expenses by an amount ranging from \$405,000 to \$1,000,000 per year. One district anticipated the need to hire 5.0 FTEs (certified staff/teachers) and to purchase supplies and equipment. This district noted that allowing outside students to participate in cocurricular activities, extracurricular activities, and career and

technical education would require the district to expand its programs in order to accommodate the additional students. The other district also anticipated the need to hire additional staff for its career and technical education classes, as the classes are already at maximum enrollment capacity, as well as the need to hire additional administrative staff. This district further reported the potential need to renovate buildings in order to provide enough space for participants and to purchase additional equipment and supplies for its career and technical education and extracurricular programs. The remaining three districts anticipated that implementation of the bill would increase expenses by an undetermined amount, depending upon the number of additional students participating in cocurricular activities, extracurricular activities, and career and technical education. Please note that these responses are for the introduced version of the bill. The expenditure impact of the amended bill on the local school districts is pending, contingent upon responses.

The overall revenue impact of this bill, as amended, on the local school districts is undetermined and will vary. The bill specifies that a home school student who participates in interscholastic activities, cocurricular activity, extracurricular activity, or career and technical education must be included in the average daily attendance of the school district in which the student resides, which may increase funding for the districts. However, the amount of the increase will depend upon the number of home school students participating and the amount of time each student spends in the public school for the activity or career and technical education. Additionally, the bill requires SCDE to review all local home school student participation policies to ensure alignment with the department's model guidelines and specifies that if a district fails to meet the minimum standards, SCDE may withhold administrative funding until the district demonstrates full compliance. However, the amount of administrative funding that may be withheld from each district is not specified, and the number of districts that may fail to meet the minimum standards established by the department is currently unknown.

Explanation of Fiscal Impact

Amended by House Education and Public Works on April 30, 2025

State Expenditure

This bill amends Section 59-63-100, relating to participation in interscholastic activities of public school districts by home school, charter school, and Governor's school students, to include participation in cocurricular activities, extracurricular activities, and career and technical education. The bill, as amended, also specifies that a school district may not charge a Governor's school student or a home school student a participation fee or otherwise assess any cost, require any reimbursement, or impose any other charge for the student to participate in a cocurricular activity, extracurricular activity, or career and technical education offered by the district that is not also charged, assessed, required, or imposed on students enrolled full-time in the district for their participation in the activity. Additionally, a home school student who participates in interscholastic activities, cocurricular activity, extracurricular activity, or career and technical education must be included in the average daily attendance of the school district in which the student resides and must be counted based on the amount of time the student spends in the public school for the activity or career and technical education.

The bill, as amended, also requires SCDE to develop model guidelines for home school students to participate in cocurricular activities, extracurricular activities, or career and technical education in schools within or outside of their public school attendance zone. The model guidelines will serve as a minimum standard for all districts. Each local policy must include and describe the application requirements, timelines, communication plans, capacity standards, approval and denial criteria, priorities of acceptance, and transportation. A school district may, but is not required to, expand capacity at a school or in a program to accommodate increased demand for home school student program participation. Each district must review and publicly post available capacity for home student participation on its website and update this information at least annually. The bill, as amended, further requires all school districts to have a home school student participation policy in place within one hundred twenty days of the publication of the model guidelines by the department. Any school district with an existing home school student participation policy must review and ensure compliance with the provisions of the bill within sixty days of its enactment. SCDE must review all local home school student participation policies to ensure alignment with the model guidelines. If a district fails to meet minimum standards, SCDE may withhold administrative funding until the district demonstrates full compliance.

S.C. Department of Education. SCDE indicates that this bill will have no expenditure impact, as the department can manage the provisions of the bill with existing appropriations.

Governor's Schools. This bill, as amended, will have no expenditure impact on the Governor's schools. The Governor's School for Agriculture at John de la Howe, the Governor's School for the Arts and Humanities, and the Governor's School for Science and Mathematics indicate that they can manage the provisions of the bill with existing appropriations.

State Revenue

N/A

Local Expenditure

This bill amends Section 59-63-100, relating to participation in interscholastic activities of public school districts by home school, charter school, and Governor's school students, to include participation in cocurricular activities, extracurricular activities, and career and technical education. The bill also specifies that a school district may not charge a Governor's school student or a home school student a participation fee or otherwise assess any cost, require any reimbursement, or impose any other charge for the student to participate in a cocurricular activity, extracurricular activity, or career and technical education offered by the district that is not also charged, assessed, required, or imposed on students enrolled full time in the district for their participation in the activity. The bill also requires all school districts to have a home school student participation policy in place within one hundred twenty days of the publication of the model guidelines by SCDE, and any school district with an existing home school student participation policy must review and ensure compliance with the provisions of the bill within sixty days of its enactment. Additionally, the bill specifies that SCDE must review all local home school student participation policies to ensure alignment with the model guidelines. If a district

fails to meet minimum standards, SCDE may withhold administrative funding until the district demonstrates full compliance.

SCDE surveyed the seventy-two regular school districts and three charter school districts on the introduced version of the bill and received responses from nine districts. Four of the responding districts indicated that the bill would have no expenditure impact. Two districts indicated that implementing the provisions of the bill would increase expenses by an amount ranging from \$405,000 to \$1,000,000 per year. One district anticipated the need to hire 5.0 FTEs (certified staff/teachers) and to purchase supplies and equipment. This district noted that allowing outside students to participate in cocurricular activities, extracurricular activities, and career and technical education would require the district to expand its programs in order to accommodate the additional students. The other district also anticipated the need to hire additional staff for its career and technical education classes, as the classes are already at maximum enrollment capacity, as well as the need to hire additional administrative staff. This district further reported the potential need to renovate buildings in order to provide enough space for participants and to purchase additional equipment and supplies for its career and technical education and extracurricular programs. The remaining three districts anticipated that implementation of the bill would increase expenses by an undetermined amount, depending upon the number of additional students participating in cocurricular activities, extracurricular activities, and career and technical education. Please note that these responses are for the introduced version of the bill. The expenditure impact of the amended bill on the local school districts is pending, contingent upon responses.

Local Revenue

This bill amends Section 59-63-100, relating to participation in interscholastic activities of public school districts by home school, charter school, and Governor's school students, to include participation in cocurricular activities, extracurricular activities, and career and technical education. The bill also specifies that a home school student who participates in interscholastic activities, cocurricular activity, extracurricular activity, or career and technical education must be included in the average daily attendance of the school district in which the student resides and must be counted based on the amount of time the student spends in the public school for the activity or career and technical education.

The overall revenue impact of this bill, as amended, on the local school districts is undetermined and will vary. The bill specifies that a home school student who participates in interscholastic activities, cocurricular activity, extracurricular activity, or career and technical education must be included in the average daily attendance of the school district in which the student resides, which may increase funding for the districts. However, the amount of the increase will depend upon the number of home school students participating and the amount of time each student spends in the public school for the activity or career and technical education. Additionally, the bill requires SCDE to review all local home school student participation policies to ensure alignment with the department's model guidelines and specifies that if a district fails to meet the minimum standards, SCDE may withhold administrative funding until the district demonstrates full compliance. However, the amount of administrative funding that may be withheld from each

district is not specified, and the number of districts that may fail to meet the minimum standards established by the department is currently unknown.



Frank A. Rainwater, Executive Director